Meeting of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

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Geneva, 12–13 November 2015
Item 8 of the provisional agenda
Lethal autonomous weapons systems

Annotated programme of work for the informal meeting of experts on lethal autonomous weapons systems Geneva, 13 – 17 April 2015

Submitted by the Chairperson of the informal meeting of experts

Monday 13 April

10:00 a.m. – 1:00 p.m.

General debate

1. The general exchange of views will build on the debate of the first informal meeting of experts in May 2014 and highlight questions from last year's discussion on technical issues, ethics and sociological issues, international humanitarian law, other areas of international law and operational and military aspects.

2. This could be also an opportunity to share positions on national policy, national legal provisions and expectations regarding the international debate on LAWS.

3:00 – 6:00 p.m.

Technical issues

3. In order to enhance understanding of current developments this session will address the state of play in the development of increasingly autonomous functions in technical systems, increasing complexity and autonomy in weapon systems as well as civilian autonomous systems. Furthermore the issues of resilience against programming and deployment errors as well possibly the vulnerability of LAWS to cyber attacks merit closer attention.

4. In addition, an exchange on the military rationale for increasing autonomy in weapons systems may provide for a better understanding of the subject under discussion.

5. State of play in the development of:

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- Increasingly autonomous functions in technical systems in general;
- Increasing complexity and autonomy in weapon systems;
- Current research and expected further developments.

6. Furthermore the following issues will be addressed:

- Resilience against programming errors;
- Resilience against deployment errors;
- Vulnerability to cyber attacks.

7. Military rationale for autonomous functions in weapons systems.

Tuesday 14 April

10:00 a.m. – 1:00 p.m.

Technical issues (continued)

3:00 – 6:00 p.m.

Characteristics of lethal autonomous weapons (LAWS)

8. During the first informal working group on LAWS, the need for a clearer understanding of defining elements on LAWS was frequently raised. This session will discuss elements for an understanding, including i.a. the concept of meaningful human control, responsibility and predictability as well the issues of autonomy with reference to context and tasks, and critical functions of LAWS.

9. In order to be able to draw on experiences gleaned from civilian systems, at the same time differentiating them clearly from LAWS, the issue of legal responsibility with reference to delegation of authority and decision-making (e.g. accident risks in the use of autonomous vehicles, robots, etc.) could be addressed in this context.

10. In addition, it would be pertinent to draw possible lessons from the way other regimes deal with dual use technology (e.g. chemicals, missile technology).

11. Elements for an understanding of defining characteristics, including:

- Meaningful human control;
- Autonomy with reference to context and tasks;
- Critical functions essential to and specific of LAWS.

12. Dual use characteristics of technology:

- Technology elements used in the civilian sphere as well as by LAWS;
- Drawing from experiences in the civilian sphere:
    - Decision making;
    - Legal responsibility for actions of autonomous systems;
    - Regulations regarding civilian autonomous technology.

13. Drawing from experiences with other regimes dealing with dual use technology (e.g. chemicals, missile technology).

Wednesday 15 April

10:00 a.m. – 1:00 p.m.

Possible challenges to international humanitarian law (IHL) due to increasing degrees of autonomy

14. Several issues have been raised during the discussions in the 2014 informal meeting of experts and during preparatory consultations regarding possible risks to the unconditional respect of international humanitarian law in the deployment of LAWS. By their very nature LAWS pose particular challenges with regard to an uninterrupted accountability chain, distinction and proportionality and precautions in attack. Based on the discussions in 2014, this meeting will contribute to deepen understanding of these issues.

15. Furthermore, the link between degrees of autonomy and deployment rules (e.g. standard operating procedures) as well as the implementation of legal weapons reviews according to Article 36 of the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I) could be discussed.

16. In this context the following issues will be addressed:

- Accountability chain;
- Distinction;
- Proportionality.

17. Link between degrees of autonomy and deployment rules (e.g. standard operating procedures).

18. Implementation of Article 36 of the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I).

3:00 – 6:00 p.m.

Overarching issues

19. This session will give room to a more-in-depth discussion of human rights, ethical issues and issues of social acceptability as they relate to LAWS, in particular the basic tenets of the right to life, dignified death and the protection of human persons by the principles of humanity and the dictates of the public conscience (Martens Clause).

20. Moreover, an exploratory discussion of general security issues, including the strategic implications of LAWS, their impact on strategic and regional stability as well as their relevance for asymmetric contexts and the risks of proliferation could be given room.

21. Ethical issues (right to life, Martens Clause).

22. Human rights issues.

23. General security issues.

Thursday 16 April

10:00 a.m. – 1:00 p.m.

Overarching issues (continued)

3:00 – 6:00 p.m.

Way ahead

24. Here the CCW High Contracting Parties could outline areas of common ground and a possible framework for the future debate on LAWS, including in the framework of the forthcoming CCW Review Conference, the possibility of a group of governmental experts on LAWS in the CCW and further research requirements. In the context of how to deal with LAWS in future, it would be appropriate to explore the issue of possible areas for trust building and of transparency in the development of LAWS, potential trade, acquisition (e.g. implementation of Article 36 of the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I)) and deployment (e.g. standard operating procedures). Furthermore a discussion on possible elements for agreements on regulations/restrictions or a code of conduct could ensue.

25. Possible areas for transparency in:

- LAWS development;
- Acquisition (e.g. Implementation of Article 36 of the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I));
- Deployment (e.g. standard operating procedures);
- Trade.

26. Possible common ground regarding elements for:

- Code of Conduct;
- Regulations;
- Restrictions;
- Prohibitions.

27. Possible framework for the future debate on LAWS.

Friday 17 April

10:00 a.m. – 1:00 p.m.

28. Concluding session:

- Oral summaries of the respective sessions;
- Preliminary presentation of the report;
- Final statements.